

Fax Memo to: John Cupp
Regulatory Analyst & panel member
Washington Utilities and Transportation Commission

01/23/08

RE: Petitions against closure of TR- 070696
Hickock crossing Mt. Vernon

Hi John; The follow letter has some new information for you're panel to review and consider as well as some proposals for solutions that may be more in concert with the needs of all parties.

From: John Arendse

- associated with Mary Arendse & "Neighbors of Dike Road Petition"
- CC to be mailed via us postal service- certified mail

P1#2

Washington Utilities & Transportation Commission Attn: John Cupp

01/25/08 Regarding the "proposed" closure of Hickock RR crossing;

For all that was heard at the recent hearings, what wasn't told? Let's get to the crux of it all. Arrangements made some many years back by officials never agreeing to any such outcome. An outcome they would have never agreed to and still don't. The people being affected are not aware of what happened! This situation is now front page news.

The RR is taking a giant step into a "loophole" for something that was never promised, specifically this proposed closure.

The RR's position is that this is all about Amtrak and their agreement for siding. I recently learned from our State Representative more of the truth. The Analysts can verify the time frame however; back in the years that Amtrak stopped at the College Way crossing, the City of Mt. Vernon was in it's pre-planning for what is now its transportation center. What seemed to be a benefit for the state & community is now our nightmare. Historically, the use & need for sidings was much less. Freight trains were becoming fewer, sidings were shorter and the need of road improvements for traffic & trucking were on the rise. There was already a 10 minute crossing closure time in place for sidings. No apparent complaints existed to cause any red flags of concern. (Then) A team of high paid Lawyers and deep financial pockets of the RR are banking on a vague and ambiguous agreement of yesteryear to see them through a commerce windfall. When any such agreement was considered, was there any discussion regarding the closing of Hickock? NO!

Was there a remote chance anyone thought oil would be nearing \$100.00 a barrel? NO!

Were there rumors of soaring fuel costs or of sur charges in the trucking industry? NO!

Were there regular or long sidings of fuel filled tanker trains? NO!

Was there any community input regarding safety, emergency, or evacuation concerns? NO!

This list can go on & on however, this panel can see that not one person or department is for the proposed closure. It is not the function of your panel to simply grant the wish of the RR on its vague technical merits with so much public safety at stake.

STOP-LOOK-& LISTEN BEFORE CLOSING THIS CROSSING.

At a minimum, **HOLD** the present position, possible negotiations for extended siding time can be compromised. Send it to Mediation. Allow the neighborhood community time to re-group if needed to re-zone and allow the people the process time to become part of the city limits for Fire and safety measures that will no longer be able to be provided by its district. (That's not too much to ask.) I was told the figure that the RR was willing to spend on litigation for this project, why not offer the city those funds to strengthen the dikes/ levies along Dike road as an incentive to incorporate this area into the city limits to the south & west to the river. The levies are a liability the city wouldn't otherwise take on without funding.

According to our state Representative, a proposal was made for the RR to use the portion of tracks between Conway and Stackpole Rd. it would remedy this entire situation, It was not of the RR's pleasure however a very workable solution! Stanwood was an alternative solution, why can't a study or recommendation be done on this? Please allow us to look for every buyable solution to this situation before creating more problems in the future. If- it would save one persons life, the Regulatory Commission may think it's worth it.

John Arendse